

109TH CONGRESS
1ST SESSION

H. R. 3591

To amend the Internal Revenue Code of 1986 to provide a credit to facilitate the accelerated development and deployment of crash avoidance and crash protection systems.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2005

Mr. ROGERS of Michigan introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to provide a credit to facilitate the accelerated development and deployment of crash avoidance and crash protection systems.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CREDIT FOR INTELLIGENT VEHICLE TECH-**
4 **NOLOGY SYSTEMS.**

5 (a) IN GENERAL.—Subpart C of part IV of sub-
6 chapter A of chapter 1 of the Internal Revenue Code of
7 1986 (relating to refundable credits) is amended by redess-

1 ignating section 36 as section 37 and by inserting after
2 section 35 the following new section:

3 **“SEC. 36. CREDIT FOR INTELLIGENT VEHICLE TECH-**
4 **NOLOGY SYSTEMS.**

5 “(a) IN GENERAL.—There shall be allowed as a cred-
6 it against the tax imposed by this chapter for the taxable
7 year an amount equal to \$500 for each qualified intelligent
8 vehicle system placed in service by the taxpayer during
9 the taxable year.

10 “(b) LIMITATION PER VEHICLE.—The amount of the
11 credit allowed under subsection (a) with respect to any
12 vehicle shall not exceed the excess of—

13 “(1) \$1,000, reduced by

14 “(2) the aggregate amount of any credits al-
15 lowed to the taxpayer under this section with respect
16 to such vehicle for all prior taxable years.

17 “(c) QUALIFIED INTELLIGENT VEHICLE SYSTEM.—
18 For purposes of this section—

19 “(1) IN GENERAL.—The term ‘qualified intel-
20 ligent vehicle system’ means any system of devices
21 described in a subparagraph of paragraph (2) which
22 is installed in a motor vehicle.

23 “(2) DEVICES DESCRIBED.—The following de-
24 vices are described in this paragraph:

1 “(A) Electronic lane departure warning
2 systems that alert the driver by means of an
3 audio, visual, or tactile warning that the driver
4 has departed from his or her lane of travel.

5 “(B) Collision avoidance systems that op-
6 erate at highway speeds of 45 miles per hour or
7 greater and utilize radar to detect potential col-
8 lisions and provide a visual or audio warning
9 for the driver.

10 “(C) Navigation systems that are installed
11 devices that provide nationwide route guidance
12 to a driver by providing audio turn-by-turn di-
13 rections such that a driver can navigate to a
14 destination without looking at a map.

15 “(D) Active automatic crash notification
16 systems which use wireless telecommunication
17 technologies to immediately alert a private
18 emergency call center when a passenger presses
19 the car’s emergency alert button or the car’s
20 airbag deploys.

21 “(E) Electronic or roll stability control sys-
22 tems that are vehicle stability control systems
23 that optimize vehicle control and are specifically
24 designed to monitor and ensure the stability of
25 the vehicle.

1 “(F) Side obstacle detection systems that
2 increase drivers’ awareness of vehicles in side
3 blind spots with an audible or visual warning.

4 “(G) Automatic back-up warning device
5 systems that alert drivers to people and objects
6 behind their vehicle when backing, including
7 systems that give the driver visibility behind the
8 vehicle when backing up.

9 “(H) Adaptive cruise control systems that
10 warn drivers of slower-moving traffic ahead.
11 Automatically adjusts speed to maintain a driv-
12 er-set gap from the vehicle ahead. These sys-
13 tems monitor the area ahead of the vehicle,
14 measuring distance and relative velocity of tar-
15 get vehicles to automatically adjust the speed of
16 the host vehicle to maintain speeds requested by
17 the driver through both braking and throttle
18 control. This includes but is not limited to sys-
19 tems that include a short brake pulse, reversible
20 restraint system activation, or full emergency
21 braking capability to the adaptive cruise control
22 system.

23 “(I) Adaptive front lighting systems (AFS)
24 that provide optimal visibility in various driving
25 conditions by automatically modifying the beam

1 pattern of the head lighting system in response
2 to vehicle speed, weather conditions, and road
3 situations (city, country, motorway), including
4 headlamps that move with the steering wheel to
5 help illuminate curves or turns.

6 “(J) Light emitting diode (LED) brake
7 lights that are brighter and activate faster than
8 conventional lamps allowing programming op-
9 tions that are not available with conventional
10 lamps.

11 “(K) Seat-mounted head protection airbag
12 systems that consist of a small airbag which de-
13 ploys from the driver or passenger side seat and
14 protects the head in a side-impact crash sce-
15 nario if such system is certified as performing
16 in a manner that results in a rating of good
17 under the IIHS head protection rating scale in
18 their side-impact crash rating test for front seat
19 occupants.

20 “(L) Head-curtain airbag system con-
21 sisting of a wide curtain safety device system
22 embedded in the roof lining of the vehicle
23 which—

24 “(i) deploys when triggered by a crash
25 sensor, and

1 “(ii) covers the front two rows of the
2 vehicle (between the A and C pillars) and
3 at least 80 percent of the glass area adja-
4 cent to the occupants.

5 “(M) Head airbag and rollover protection
6 curtain system consisting of an enlarged roof
7 line mounted airbag system with an enhanced
8 capability of remaining deployed for 5 seconds
9 to provide head, neck, and torso protection in a
10 vehicle rollover crash scenario if such system
11 covers at least 90 percent of the glass opening
12 and meets the proposed occupant ejection miti-
13 gation requirements issued by the National
14 Highway Traffic Safety Administration.

15 “(N) In the case of a motor vehicle any
16 portion of which is subject to tax under section
17 4051, direct tire pressure monitoring systems
18 for heavy truck applications that provide a real
19 time determination of the condition of the pres-
20 sure and temperature of the air in the tire.

21 “(O) Any system specifically identified by
22 the Administrator of the National Highway
23 Traffic Safety Administration for the purposes
24 of this paragraph as significantly enhancing the

1 safety or security of the driver, passengers, or
2 load of a vehicle.

3 “(3) REMOVAL FROM DEVICE LIST.—Any sys-
4 tem specifically identified by the Administrator of
5 the National Highway Traffic Safety Administration
6 for removal from paragraph (2) shall be treated as
7 not described in any subparagraph of such para-
8 graph effect for systems placed in service after such
9 date as the Administrator shall specify.

10 “(4) MOTOR VEHICLE.—The term ‘motor vehi-
11 cle’ means any vehicle which is manufactured pri-
12 marily for use on public streets, roads, and highways
13 (not including a vehicle operated exclusively on a rail
14 or rails) and which has at least 4 wheels.

15 “(d) SPECIAL RULES.—

16 “(1) BASIS REDUCTION.—The basis of any
17 property for which a credit is allowable under sub-
18 section (a) shall be reduced by the amount of such
19 credit.

20 “(2) RECAPTURE.—The Secretary shall, by reg-
21 ulations, provide for recapturing the benefit of any
22 credit allowable under subsection (a) with respect to
23 any property which ceases to be property eligible for
24 such credit.

1 “(3) PROPERTY USED OUTSIDE UNITED
2 STATES, ETC., NOT QUALIFIED.— No credit shall be
3 allowed under subsection (a) with respect to any
4 property referred to in section 50(b) or with respect
5 to the portion of the cost of any property taken into
6 account under section 179.

7 “(4) ELECTION TO NOT TAKE CREDIT.—No
8 credit shall be allowed under subsection (a) for any
9 vehicle if the taxpayer elects to not have this section
10 apply to such vehicle.

11 “(e) SUPPORTING DOCUMENTATION.—No credit
12 shall be allowed under subsection (a) unless the taxpayer
13 receives, at the time of purchase of the qualified intelligent
14 vehicle system, such documentation as the Secretary may
15 require. Such documentation shall identify the type of
16 each intelligent vehicle system installed on the motor vehi-
17 cle, the purchase date of the motor vehicle containing such
18 system (or the installation date of such system in the case
19 of installation after the date of the first retail sale). The
20 Secretary may not require retail or manufacturer price
21 documentation.

22 “(f) TERMINATION.—This section shall not apply to
23 any property placed in service after December 31, 2012.”.

24 (b) DETERMINATIONS BY NHTSA.—

1 (1) IN GENERAL.—The Administrator of the
2 National Highway Traffic Safety Administration
3 shall, during the 8-month period beginning 40
4 months after the date of the enactment of this Act
5 and periodically thereafter, identify systems for in-
6 clusion in or removal from the list of systems in
7 paragraph (2) of section 36(c) of the Internal Rev-
8 enue Code of 1986, and shall publish an update of
9 such list taking into account such inclusions and re-
10 movals.

11 (2) ADVISORY COMMITTEE.—For purposes of
12 making identifications described in paragraph (1),
13 such Administrator shall—

14 (A) establish a committee (which shall in-
15 clude at least one representative from industry
16 and one consumer) to access potentially quali-
17 fied systems,

18 (B) convene such committee and establish
19 a regular meeting schedule,

20 (C) require quarterly reports from such
21 committee, and

22 (D) make such quarterly reports available
23 to the public.

24 (c) CONFORMING AMENDMENTS.—

1 (1) The table of sections for subpart C of part
2 IV of subchapter A of chapter 1 of the Internal Rev-
3 enue Code of 1986 is amended by redesignating the
4 item relating to section 36 as an item relating to
5 section 37 and by inserting before such item the fol-
6 lowing new item:

“Sec. 36. Credit for intelligent vehicle technology systems.”.

7 (2) Section 1324(b)(2) of title 31, United
8 States Code, is amended by inserting “or 36” after
9 “section 35”.

10 (d) EFFECTIVE DATE.—The amendments made by
11 this section shall apply to property placed in service after
12 December 31, 2005.

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